

§ 6.3

§ 6.3 Limitation on *First Adjustments*.

Each of the *First Adjustments* may not exceed ten percent (10%) of the respective penalty being adjusted.

§ 6.4 Adjustments to penalties.

The civil monetary penalties provided by law within the jurisdiction of the respective agencies or bureaus of the Department, as set forth below in this section, are hereby adjusted in accordance with the inflation adjustment procedures prescribed in Section 5, Pub. L. 101-410, from the amounts of such penalties in effect prior to December 11, 2008, to the amounts of such penalties, as thus adjusted, except for the penalties stated in paragraphs (e)(26) and (e)(27), which became effective on January 12, 2007, and except for the penalties stated in paragraphs (a)(4) and (e)(3) which became adjusted on October 16, 2007 and January 12, 2007, respectively.

(a) *Bureau of Industry and Security*. (1) 15 U.S.C. 5408(b)(1), Fastener Quality Act—Violation, from \$27,500 to \$32,500.

(2) 22 U.S.C. 6761(a)(1)(A), Chemical Weapons Convention Implementation Act—Inspection Violation, from \$25,000 to \$25,000.

(3) 22 U.S.C. 6761(a)(1)(B), Chemical Weapons Convention Implementation Act—Record Keeping Violation, from \$5,000 to \$5,000.

(4) 50 U.S.C. 1705(a), International Emergency Economic Powers Act (2007)—Violation, from \$50,000 to \$250,000.

(b) *Bureau of the Census*. (1) 13 U.S.C. 304, Collection of Foreign Trade Statistics—Delinquency on Delayed Filing of Export Documentation; maximum penalty for each day's delinquency, from \$1,000 to \$1,000; maximum per violation, from \$10,000 to \$10,000.

(2) 13 U.S.C. 305(b), Collection of Foreign Trade Statistics—Violations, from \$10,000 to \$10,000.

(c) *Economics and Statistics Administration*. 22 U.S.C. 3105(a), International Investment and Trade in Services Act—Failure to Furnish Information; minimum, from \$2,500 to \$2,500; maximum, from \$27,500 to \$32,500.

(d) *International Trade Administration*. (1) 19 U.S.C. 81s, Foreign Trade Zone—Violation, from \$1,100 to \$1,100.

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(2) 16 U.S.C. 1677(f)(4), U.S.-Canada FTA Protective Order—Violation, from \$120,000 to \$130,000.

(e) *National Oceanic and Atmospheric Administration*. (1) 15 U.S.C. 5623(a)(3), Land Remote Sensing Policy Act of 1992, from \$11,000 to \$11,000.

(2) 15 U.S.C. 5658(c), Land Remote Sensing Policy Act of 1992, from \$11,000 to \$11,000.

(3) 16 U.S.C. 773f(a), Northern Pacific Halibut Act of 1982 (2007), from \$27,500 to \$200,000.

(4) 16 U.S.C. 783, Sponge Act (1914), from \$550 to \$650.

(5) 16 U.S.C. 957, Tuna Conventions Act of 1950 (1962);

(i) Violation/Subsection (a), from \$27,500 to \$32,500.

(ii) Subsequent Violation/Subsection (a), from \$65,000 to \$70,000.

(iii) Violation/Subsection (b), from \$1,100 to \$1,100.

(iv) Subsequent Violation/Subsection (b), from \$5,500 to \$6,500.

(v) Violation/Subsection (c), from \$130,000 to \$140,000.

(6) 16 U.S.C. 971e(e), Atlantic Tunas Convention Act of 1975 (1995), from \$130,000 to \$140,000.

(7) 16 U.S.C. 972f(b), Eastern Pacific Tuna Licensing Act of 1984;

(i) Violation/Subsections (a)(1)–(3), from \$27,500 to \$32,500.

(ii) Subsequent Violation/Subsections (a)(1)–(3), from \$60,000 to \$65,000.

(iii) Violation/Subsections (a)(4)–(5), from \$5,500 to \$6,500.

(iv) Subsequent Violation/Subsections (a)(4)–(5), from \$5,500 to \$6,500.

(v) Violation/Subsection (a)(6), from \$130,000 to \$140,000.

(8) 16 U.S.C. 973f(a), South Pacific Tuna Act of 1988, from \$325,000 to \$350,000.

(9) 16 U.S.C. 1174(b), Fur Seal Act Amendments of 1983, from \$11,000 to \$11,000.

(10) 16 U.S.C. 1375(a)(1), Marine Mammal Protection Act of 1972 (1981), from \$11,000 to \$11,000.

(11) 16 U.S.C. 1385(e), Dolphin Protection Consumer Information Act (1990), from \$120,000 to \$130,000.

(12) 16 U.S.C. 1437(d)(1), National Marine Sanctuaries Act (1992), from \$130,000 to \$140,000.

(13) 16 U.S.C. 1540(a)(1), Endangered Species Act of 1973;